

EXHIBIT 2



Notice of Appeal/Petition to the Equal Employment Opportunity Commission, Office of Federal Operations

1. Appellant's Name (Last, First, MI) (Please Print or Type)

Rodgers, J. C.

2. Daytime Telephone No. (Include Area Code)

(334) 897-5385

3. Home Mailing Address¹

4331 Highway 141

ELBA, AL 36323

4. Name of Attorney or Other Representative (if any)

EARL W. DAWSON

5. Telephone No. (Include Area Code)

(334) 702-7369

6. Address of Attorney or Other Representative (if applicable)

27 WOODLAND COURT

DALEVILLE, AL 36322

7. Has the Appellant Filed a Formal Complaint with His/Her Agency?

 No

Yes - Indicate the Agency's Complaint No.: 44-350-0093-055

8. Name of Agency Being Charged with Discrimination

UNITED STATES POSTAL SERVICE

9. Location of Duty Station or Local Facility in Which the Complaint Arose

MAIN POST OFFICE ENTERPRISE, AL

10. Has a Final Decision Been Issued by the Agency or MSPB on this Complaint?

 Yes (Indicate the date the appellant received it, AUGUST 15, 2005, and attach a copy.) No This Appeal Alleges a Breach of a Settlement Agreement.

11. Has a Complaint Been Filed on this Same Matter with the Commission, Another Agency, or Through Any Other Administrative or Collective Bargaining Procedure?

 No Yes (Indicate the agency or procedure, complaint/docket number, and attach a copy, if appropriate.)

12. Has a Civil Action (Lawsuit) Been Filed in Connection with This Complaint?

 No Yes (Attach a copy of the civil action filed.)

NOTICE: Before mailing this appeal, please be sure to attach a copy of the final decision from which you are appealing, if one has been issued. Any comments or brief in support of the appeal MUST be filed with the Commission AND with the agency within 30 days of the date this appeal is filed. Making a knowingly false statement on this form is punishable by law. See 18 U.S.C. § 1001.

Privacy Act Statement

(This form is covered by the Privacy Act of 1974. Public Law 93-597. Authority for requesting the personal data and the use thereof is given below.)

1. Form Number/Title/Date: EEOC Form 573, Notice of Appeal/Petition (April 1992 edition).

2. Authority: 42 U.S.C. § 2000e-15.

3. Principle Purpose: The purpose of this questionnaire is to solicit information to enable the Commission to properly and efficiently adjudicate appeals filed by Federal employees, former Federal employees, and applicants for Federal employment.

4. Routine Uses: Information provided on this form will be used by Commission employees to determine (a) the appropriate agency from which to request relevant files; (b) whether the appeal is timely; (c) whether the Commission has

jurisdiction over the issue(s) raised in the appeal; and (d) generally to assist the Commission in properly processing and deciding appeals. Decisions of the Commission are final administrative decisions, and such as, are available to the public under the provisions of the Freedom of Information Act. Some information may also be used in de-personalized form as a database for statistical purposes.

5. Whether Disclosure is Mandatory or Voluntary and Effect on Individual for not Providing Information: Since your appeal is voluntary action, you are not required to provide any personal information in connection with it. However, failure to supply the Commission with the requested information could hinder timely processing of your case, or even result in the rejection or dismissal of your appeal.

13. Signature of Appellant or Appellant's Representative

Date

9/13/05

Send Your Appeal to:

**THE EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
OFFICE OF FEDERAL OPERATIONS
PO BOX 19848
WASHINGTON DC 20036-9848**

For EEOC Use Only

OFO Docket No

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